

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1678 of 2018

- Laxman Sahis S/o Shri Masatram Sahis Aged About 25 Years R/o- Harijanpara, Kharsia, Tahsil And P.S.- Kharsia, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Of The P.S.- Kharsia, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharaf, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13.03.2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for grant of regular bail. The applicant has been arrested on 10.02.2018, in connection with Crime No. 91/2018 registered at P.S. - Kharsia, District – Raigarh, Chhattisgarh, for the offence under Section 34(1)(A)(2) and Sections 59 (A)(2) of the C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 10.02.2018. Hence, he may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 5.400 bulk liters illicit liquor has been seized from the possession of the applicant. Also, against this applicant 02 previous cases are pending, one is for the offence under Section 379 of I.P.C and another is for the offence under Section

25 & 27 of Arms Act are registered. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.
5. Considered the submissions made and the contents of the case diary.
Though there are 02 previous cases registered against this applicant, but conviction or acquittal of the applicant has not been reported in any of those cases, further in the present matter detention of the applicant till completion of investigation and trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.
6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)
Judge